

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

<b>NOTICE OF APPEAL, REQUEST FOR EXTENSION, AND TRANSMITTAL OF RESPONSE</b>		Docket Number <b>2345/159</b>
Application Number <b>09/890,597</b>	Filing Date <b>May 24, 2002</b>	Examiner <b>Hanh Phan</b> Art Unit <b>2613</b>
Title <b>REDUCING THE DISTORTION OF OPTICAL PULSES CAUSED BY POLARIZATION MODE DISPERSION IN OPTICAL COMMUNICATION SYSTEMS</b>		Applicant(s) <b>Wolfgang Dultz et al.</b>

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I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office via the Office electronic filing system on

March 16, 2009.

Signature: Linda Lecomte  
Linda Shudy Lecomte

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the final Office Action dated October 16, 2008, finally rejecting claims 13 to 26. Applicants believe that claims 13 to 26 should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

In addition, Applicants are filing herewith a Response in the present application for consideration by the Patent Office. This is also a Request under 37 C.F.R. § 1.136(a) to extend the three-month response date by two months from January 16, 2009 to March 16, 2009.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$540.00**, and the extension fee amount of **\$490.00** to the deposit account number **11-0600** of **Kenyon & Kenyon LLP**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600** of **Kenyon & Kenyon LLP**.

Dated: March 16, 2009

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